



REGISTRAR OF REGULATIONS

08 JUL 11 AM 10:33

COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487

Fax: 804-864-7481

NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 046-052, SARAH CREEK

EFFECTIVE 21 JULY 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*.

1. The "Notice and Description of Shellfish Area Condemnation Number 046-052, Sarah Creek," effective 8 August 2007, is cancelled effective 21 July 2008.
2. Shellfish Condemned Area Number 046-052, shown as Sections A, B, C, D and E, is established effective 21 July 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Sarah Creek, Condemned Shellfish Area Number 046-052, 21 July 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 046-052, shown as Section M1, is established effective 21 July 2008, for the period July 21, 2008, through October 31, 2008, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It shall be unlawful for any person, firm, or corporation to take shellfish from this area during such period for any purpose, except by permit granted by Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundary of this area is shown on the map titled "Sarah Creek, Condemned Shellfish Area Number 046-052, 21 July 2008" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 046-052

- A. The condemned area shall include that portion of the Northwest Branch of Sarah Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (37°15'38.6", -76°28'57.3") to map coordinate (37°15'41.4", -76°28'54.3").
- B. The condemned area shall include all of the unnamed tributary of the Northeast Branch of Sarah Creek lying upstream of a line drawn from latitude/longitude map coordinate (37°15'36.2", -76°28'22.4") to map coordinate (37°15'38.3", -76°28'18.3").

- C. The condemned area shall include that portion of the Northeast Branch of Sarah Creek lying upstream of a line drawn from latitude/longitude map coordinate (37°15'35.9", -76°28'06.9") to map coordinate (37°15'32.6", -76°28'07.1").
- D. The condemned area shall include all of the unnamed tributary of the Northeast Branch of Sarah Creek lying upstream of a line drawn from latitude/longitude map coordinate (37°15'26.7", -76°28'21.9") to map coordinate (37°15'24.9", -76°28'26.4").
- E. The condemned area shall include all of the unnamed tributary of the Northwest Branch of Sarah Creek lying upstream of a line drawn from latitude/longitude map coordinate (37°15'38.9", -76°28'47.1") to map coordinate (37°15'38.0", -76°28'44.6").
- M1. The seasonally condemned area shall include that portion of Sarah Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (37°14'58.0", -76°29'39.8") to map coordinate (37°15'00.2", -76°28'37.1"), as well as downstream of a line drawn from map coordinate (37°15'31.8", -76°28'27.9") to map coordinate (37°15'26.7", -76°28'21.9"); but excluding the areas defined as Sections A, D and E.

Recommended by:

Director, Division of Shellfish Sanitation

Ordered by:

State Health Commissioner

Date

Virginia Department of Health
Sarah Creek
Condemned Shellfish Area Number 046-052
21 July 2008

